

REMARKS

Claims 2-3, 5-7, 9, 11-12 and 14-16 are pending in this application after this amendment. Claims 2, 11 and 14-15 are independent. Claims 1, 4, 8, 10 and 13 have been canceled without prejudice or disclaimer to the subject matter included therein. New claim 16 is presented for consideration by the Examiner. No new matter has been added by the addition of new claim 16. Based on the amendments and remarks made herein, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejections.

By this amendment, Applicant has amended the claims to more appropriately recite the present invention, including rewriting claims 2 and 11 in independent form. These amendments are being made without conceding the propriety of the Examiner's rejections, but merely to timely advance prosecution of the present application.

In the outstanding Official Action, the Examiner rejected claim 15 under 35 U.S.C. §101; rejected claims 1-6 and 9-15 under 35 U.S.C. §102(b) as being anticipated by Ghaffari (USP 5,751,220); and rejected claims 7-8 under 35 U.S.C. §103(a) as being unpatentable over Ghaffari in view of Gardner (USP 6,891,478). Applicant respectfully traverses these rejections.

Preliminary Comments

By this amendment, Applicant is filing concurrently herewith a Request for Personal Interview. Applicant respectfully requests the Examiner contact the undersigned to schedule and conduct an Interview prior to his formal consideration of the arguments presented herein on the merits.

Claim Rejections – 35 U.S.C. §101

The Examiner rejected claim 15 asserting the claim is not directed to statutory subject matter. By this amendment, Applicant has amended claim 15 to recite a computer readable medium. Based on this amendment, it is respectfully requested that the outstanding rejection be withdrawn.

Claim Rejections – 35 U.S.C. §102

By this amendment, Applicant has amended claim 2 to include the elements of claim 1. The network terminal according to claim 2 requires, “determining sets of synchronization information frame transmission start time information corresponding to said plurality of network terminals of the network system, and transmitting the sets of synchronization information frame transmission start time information to said plurality of network terminals, when said network terminal acts as a master terminal.”

In col. 13, lines 37-46 of Ghaffari cited by the Examiner, it is disclosed that “a reader which timed out takes over as master unit and generates sync signals based on its internal timing and transmits the sync signals to other readers”. However, the network terminal according to claim 2 generates synchronization information frame transmission start time information used at the time when other network terminal acts as a master terminal. In this way, the synchronization signal described in Ghaffari and the synchronization information frame transmission start time information recited in claim 2 are different from each other. Thus, Ghaffari neither discloses nor suggest the feature of claim 2.

Further, the feature allows the network terminal according to claim 2 to generate sets of synchronization information frame transmission start time information (priorities) of respective networks terminals, which are for determining the next master terminal, and to transmit the priority list to the corresponding network terminals, when said network terminal acts as a master terminal. That is, sets of synchronization information frame transmission start time information (priorities) of respective network terminals can be set in advance so as to be stored in the respective network terminals.

This makes it possible to promptly recover the network even if the synchronization information frame from the master terminal misses. This effect is not taught, suggested or appreciated in Ghaffari.

As Ghaffari fails to teach or suggest all of the elements of claim 2, as amended, including the synchronization information frame transmission start time generating means as recited, Applicant respectfully submits that Ghaffari fails to anticipate claim 2. It is respectfully requested that the outstanding rejection be withdrawn.

Claim 11 is directed to a network system including the network terminal according to claim 2, so that the system is characterized in the same point as in claim 2.

The network terminal according to claim 9 is characterized in that “if it is impossible to generate a synchronization information frame including all sets of information in the synchronization information frame received from said master terminal, the synchronization information frame transmitting means determines which set of information is included in a synchronization information frame, in accordance with priorities of sets of data exchanged between said plurality of network terminals”.

In col. 13, lines 7-23/37-46 of Ghaffari cited by the Examiner, it is disclosed that “an interrogation signal is generated in response to receiving the sync signal”. However, Ghaffari neither discloses nor suggests such feature of claim 9 that “determines which set of information is included in a synchronization information frame, in accordance with priorities of sets of data exchanged between said plurality of networks terminals”.

Further, due to this feature, when the network terminal according to claim 9 is selected as a new master terminal but has lower capabilities than the previous master terminal and hence not all of the information, e.g. band guarantee period information, of the previous master terminal cannot be included in a synchronization information frame of the new master terminal, the network terminals selects which set of information is included in a synchronization information frame, in accordance with the presence of data transport between the network terminals and the priorities of sets of data exchanged between the network terminals.

Thus, the above described network terminal makes it possible to give priority to the resumption of data transport having a high priority before the occurrence of the failure. This effect is not mentioned in Ghaffari. It is respectfully requested that the outstanding rejection be withdrawn.

In addition to the arguments set forth above, it is respectfully submitted that claims 3, 5-7 and 9 are allowable for the reasons set forth above with regard to claim 2 at least based on their dependency on claim 2. As claims 11, 14 and 15 include elements similar to those discussed with regard to claim 2, Applicants respectfully submit that these claims are allowable for the reasons set forth above with regard to claim 2.

Conclusion

In view of the above remarks, it is believed that claims are allowable.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Catherine M. Voisin Reg. No. 52,327 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

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Respectfully submitted,

By

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